
GRAZING ADMINISTRATION

Qualifications & Preference



BLM Manual Handbook H-4110-1

Form 1221-2
(June 1969)



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MANUAL TRANSMITTAL SHEET

Release

4-71

Date

6/20/84

Subject

H-4110-1 - QUALIFICATIONS AND PREFERENCE

1. Explanation of Material Transmitted: This BLM Manual Handbook provides procedural direction and standards for the allocation, transfer, adjustment, and administration of grazing preference on the public lands based on the provisions of 43 CFR 4110.
2. Reports Required: None.
3. Material Superseded: None.
4. Filing Instructions: File as directed below, immediately following the Manual Section.

20949712
ID 88018480

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GRAZING ADMINISTRATION HANDBOOK

H-4110-1 - QUALIFICATIONS AND PREFERENCE

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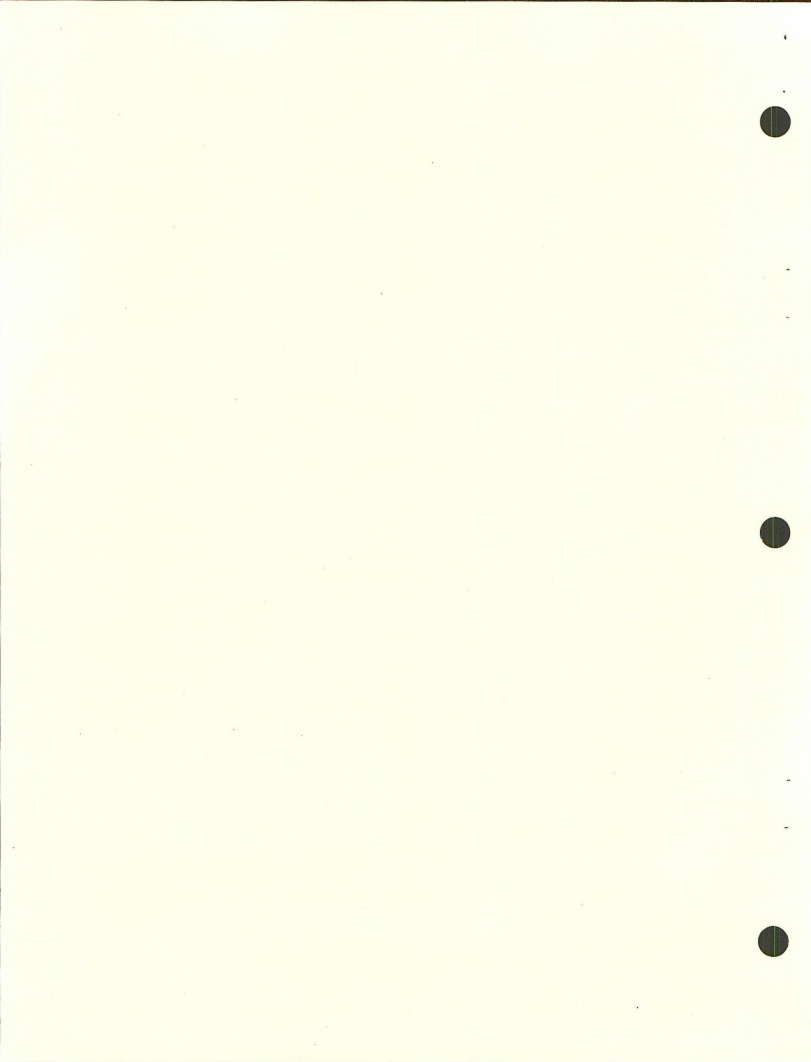
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6/20/84



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.11 Mandatory Qualifications. The grazing regulations contain requirements that applicants must meet to qualify for grazing use on the public lands. (See 43 CFR 4110.1.) Applications for free-use grazing permits, exchange-of-use grazing authorizations, and crossing permits are exempt from the mandatory qualification requirements.

.11 Determining the Qualifications of Applicants. Applicants for grazing use on the public lands and/or other lands administered by the BLM are required to be engaged in the livestock business, own or control land or water offered as base property, and meet the criteria contained in 43 CFR 4110.1.

.12 Written Proof of Qualifications. Use Form 4130-1(b), Grazing Application - Supplemental Information to document and verify an applicant's qualifications. (See H-4130-1.) A written proof of qualifications may be required, if the authorized officer has good cause to believe that an applicant may not meet the mandatory requirements. Failure of the applicant to supply the required information is cause for denial of grazing use.

.13 Acquired Lands. Certain lands have been acquired by the BLM through purchase, exchange, Act of Congress, or Executive Order. Where an agreement or terms of an Act or Executive Order provide that BLM honor existing grazing permits or leases, such permittees or lessees must be considered qualified for grazing use on the acquired lands. (See 43 CFR 4110.1-1.) Any subsequent transfer or adjustments in grazing preference are subject to 43 CFR 4100.

.14 Permits or Leases Issued in Error. If, after a permit or lease has been issued, information on which it was based is found to be erroneous or nonfactual, action must be taken under 43 CFR 4160 to cancel the permit or lease in whole or in part. Corresponding action also may be taken to cancel the grazing preference in whole or in part. Where there is evidence of falsification of records, which is prohibited by 43 CFR 4140.1(b)(10) and 18 United States Code (U.S.C.) Section 1001, appropriate action may be taken under 43 CFR 4170.

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.2 Grazing Preference.

.21 Base Property. Applicants are required to own or control the land or water offered as base property to qualify for grazing preference. The authorized officer must be satisfied that the offered land or water meets the definition of base property contained in 43 CFR 4100.0-5. (See Appendices 1 and 2 for Special Rules affecting the Ely and Albuquerque Districts.)

A. Within Grazing Districts. The authorized officer specifies the type of base property, i.e., land, water, or both land and water, that can be offered in support of grazing preference in the grazing district jurisdiction. For land and/or water to be recognized as base property for a grazing preference on public lands located within grazing districts, it must be situated in such a manner that it can serve as a base for a livestock operation which can make use of those lands.

B. Outside Grazing Districts. For land to be recognized as base property for a grazing preference on public lands located outside grazing districts, it must be land that can be used in conjunction with a livestock operation which can make use of the public lands. This land must be contiguous (including cornering or otherwise touching) to the public lands on which grazing use is sought. An exception is when no applicant owns or controls contiguous land, noncontiguous land may be recognized as base property. Water cannot serve as base property for a grazing preference on public lands located outside grazing districts.

C. Description of Base Property. Grazing Application - Preference Summary and Transfer, Form 4130-1(a), is used by applicants to provide a legal description of the land or water offered as base property. (See H-4130-1, Paragraph .13B.) The form is also used by applicants to certify to the authorized officer that the base property meets the requirements of 43 CFR 4110.2-1(a) and (b). (See 43 CFR 4110.2-1(c).) Location Plat, Form 4110-1, may be used to provide a plat. (See Illustration 1.) The authorized officer may require applicants, permittees, or lessees to furnish copies of deeds, contracts of sale, leases, etc.

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D. Land-Base Property Capability. After consultation, cooperation, and coordination with the affected permittee or lessee and other affected interests, the authorized officer specifies the length of time during the grazing year for which the permittees' or lessees' land-base properties must be capable of supporting the livestock that will be, or are, authorized to graze on the public lands. (See 43 CFR 4110.2-1(b).) This period is based on the requirements for proper management of the public lands. Under this capable-of-supporting requirement, the forage and/or feed needed to sustain the livestock does not have to be produced on the land-base properties. The requirement is that if it should become necessary, the applicants, permittees, or lessees could produce the forage and/or feed needed to sustain the livestock for the specified length of time on the total recognized land-base properties. The local district grazing advisory boards should be consulted when establishing specific requirements for particular geographic areas.

E. Water-Base Property Suitability. To be recognized as base property, water must be suitable and available for consumption by the authorized livestock when on the public lands. (See 43 CFR 4110.2-1(a)(1).) Full-time water and part-time water can be recognized as base property. The quantity of water available must be adequate to satisfy the needs of the number of livestock authorized by the permit during the period they are authorized to graze on the public lands. It may be necessary to develop alternative or supplemental water to facilitate proper grazing management.

F. Misrepresentation of Base Property Qualifications. Applicants, permittees, or lessees who misrepresent the facts with respect to land or water offered as base property are subject to penalty action under 43 CFR 4170. (See 43 CFR 4140.1(b)(8).) A permit or lease that was issued as a result of a misrepresentation is subject to cancellation by the authorized officer.

.22 Grazing Preference Allocation. Vegetation resources on public lands are allocated among various consumptive and nonconsumptive uses (such as livestock, wildlife, wild horses, wild burros, and watershed) in order to maintain a desired ecosystem and achieve the multiple-use objectives outlined in land-use plans and activity plans. (See 43 CFR 4110.2-2.)

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A. Apportioning Grazing Preference. That portion of the vegetation resources identified for livestock grazing use are apportioned to applicants on the basis of their grazing preference.

Grazing Permittees and Lessees of Record. Grazing permittees and lessees are recognized for the grazing preference they have on record with BLM. The total grazing preference includes both the active and suspended preference. It does not include nonrenewable grazing use. Preference for ephemeral forage is expressed in terms of the allotment or area used and not in terms of animal unit months (AUM's).

New Applicants. Grazing preference may be apportioned to new applicants where the livestock grazing capacity of the public lands available for grazing use exceeds that required to satisfy the active and suspended grazing preference of the permittees and lessees of record and that amount apportioned to cooperators in proportion to their contribution or efforts that resulted in the increased forage production. (See 43 CFR 4110.3-1.)

B. Ninety-Day Preference Right. Section 15 of the Taylor Grazing Act offers a preference for leasing isolated or disconnected tracts of public lands of 760 acres or less outside grazing districts. (See 43 CFR 4110.2-2(b).) Applicants owning or controlling base property contiguous to or cornering upon such tracts have a preference to lease the whole tract during a 90-day period, which starts when the land is offered for lease. Offered for lease means official public notice of the availability of additional lands for grazing use.

C. Attaching Grazing Preference to Base Property. Grazing preference is attached to either land or water which has been offered and recognized as base property. (See 43 CFR 4110.2-1(a).) The grazing preference attached to each parcel of land-base property, and/or to each water-base property, is documented on the Grazing Application - Preference Summary and Transfer, Form 4130-1(a). (See H-4130-1.)

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Land-Base Property. Grazing preference is attached to land-base property on a prorated acreage basis. (See 43 CFR 4110.2-2(c).) For example, if a permittee or lessee has 640 acres of base property and 960 AUM's of grazing preference, 1.5 AUM's will be attached to each acre. If 80 acres of this base property is subsequently sold, 120 AUM's of preference are lost by the seller and are available for application by the buyer, if otherwise qualified. Grazing preference may be rearranged among controlled base properties by transfer.

Water-Base Property. Grazing preference is attached to water base property on the basis of the livestock grazing capacity within the service area of that water. (See 43 CFR 4110.2-2(c)(2).) Grazing preference may be transferred from one water base to another, if the new water base will service the same area as the old water base.

D. Livestock Grazing Allotments. Allotments include all areas which are grazed by livestock or which are designated in land-use plans as being suitable for grazing by livestock. Areas that are not suited to livestock grazing use may also be included within allotment boundaries. Livestock and indigenous animals must be confined to authorized use areas by fences, natural barriers, or herding practices. A detailed map showing land status, allotment boundaries, and prominent physical features should be prepared for each designated allotment.

Existing Allotments. Allotments are maintained, modified, consolidated, or eliminated after land-use decisions determine where and to what extent livestock grazing is to be permitted and how planned management practices can be implemented to meet multiple-use objectives, yet be cost effective.

Designating New or Modified Allotments. New or modified allotments are designated after consultation, cooperation, and coordination as necessary to accomplish resource management objectives. The Range Line Agreement, Form 4120-10 (Illustration 2), is used to establish boundaries between allotments.

Boundary Adjustments. The authorized officer may adjust allotment boundaries if, after consultation and coordination with affected interests and a review by the District Grazing Advisory Board, it is determined that boundary adjustments are necessary to correct management problems or promote proper use of the resources.

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Allotment Consolidations. Opportunities to consolidate allotments are considered when needed to better meet resource management objectives and to facilitate livestock grazing management.

Allotment Eliminations. Allotments must be eliminated when all the public lands or other lands under the BLM's administration in the allotment become unavailable for livestock grazing use.

Allotment Decisions. When agreement with affected permittees and lessees can be reached, the authorized officer uses the Range Line Agreement, Form 4120-10, to document allotment boundary adjustments. When agreement cannot be reached, the authorized officer issues a decision under 43 CFR 4160. The proposed decision provides those parties whose interests may be adversely affected an opportunity to protest the proposed action.

Allotment Records. Allotment numbers are assigned to designated allotments as prescribed by the Range Management Automated System (RMAS). Allotment Record, Form 4115-22 (Illustration 3), is used to record information on designated allotments.

.23 Transfer of Grazing Preference. The authorized officer considers transfers of grazing preference under 43 CFR 4110.2-3. The approval of transfers and the subsequent issuance of grazing authorizations under 43 CFR 4110.2-3(b) and (c) are discretionary; approval under 43 CFR 4110.2-3(e) is mandatory.

A. Requirements. Transfers of grazing preference are subject to the following requirements:

Qualification of Transferees. Except where grazing preference is acquired through operation of law or testamentary disposition, the transferee must be qualified for grazing preference on the public lands. (See 43 CFR 4110.2-3(a)(1) and 4110.2-3(e).)

Acquisition of Base Property by Unqualified Transferee. Under 43 CFR 4110.2-3(e), a grazing preference acquired through operation of law or testamentary disposition by a transferee unqualified under 43 CFR 4110.1 is not adversely affected by such nonqualification for 2 years from the date of acquisition. A permit or lease may be issued to an unqualified transferee for a period which ends no later than 2 years from the date of acquisition of the preference. Such transferee is required to be qualified under 43 CFR 4110.2-3(a) within 2 years or the preference must be cancelled. Extensions of time may be granted by the authorized officer, if probate proceedings are the reason for delay. If the preference is cancelled due to failure to qualify, the preference may be allocated as forage additionally available under 43 CFR 4110.3-1.

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Range Improvement Assignment. The Assignment of Range Improvements, Form 4120-8, is used to show assignment of interest and obligation in range improvements authorized by a cooperative agreement or range improvement permit used and maintained in conjunction with the preference. (See H-4120-1, Paragraph .45.) The authorized officer should ensure that maintenance responsibilities for structural improvements are assigned before approving transfers of grazing preference. The transferee must accept the terms and conditions of the cooperative agreement and range improvement permits with any modifications necessary to achieve management objectives for the allotment. The regulations require the transferee to compensate the transferor for the fair market value of interest in the existing authorized range improvements within the allotment as of the date of the transfer. (See 43 CFR 4120.3-5.) BLM does not become involved, unless there is a disagreement as to the manner and amount of compensation; in which case, the authorized officer makes the necessary determination. (See H-4120-1, Paragraph .45.) If the transfer involves only a portion of an existing grazing preference, an equitable apportionment of interest and responsibility for range improvements must be made before the transfer can be approved.

Terms and Conditions. In accordance with 43 CFR 4130.6 and 4130.2, the authorized officer incorporates into grazing permits or leases those terms and conditions that are necessary to achieve resource management objectives.

Transfer Application. The transferee must file with the authorized officer an application which contains: (1) The amount of grazing preference being transferred in animal unit months; (2) a legal description of the old and new base property; (3) the concurrence of any lienholder; and (4) the consent of the owner(s) of the base property from which the transfer is to be made, unless the transferor is a lessee of the base property, without whose livestock operation a grazing preference would not have been established.

Transfer Application Forms. The Grazing Application - Grazing Schedule, Form 4130-1, and the appropriate portions of: Grazing Application - Preference Summary and Transfer, Form 4130-1(a); Grazing Application - Supplemental Information, Form 4130-1(b); and Grazing Application - Authorized Representative, Form 4130-1(c), are used by transferees at the time a transfer application is filed. (See H-4130-1.)

Service Charge. The application must be accompanied by the service charge required by 43 CFR 4130.7-3. If payment of the service charge is not made at the time of application, no action will be taken to process the application until the payment is made.

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Transfer Deadline. The transferee has 90 days from date of a sale or lease to file with the authorized officer a properly executed transfer application. (See 43 CFR 4110.2-3(b).) The date of sale or lease may be considered either the date the sale or lease documents are signed or the date specified in those documents for actual control or possession, whichever is later.

B. Transfer Requirements.

Payment of Fees and Refunds. No transfer may be approved or grazing authorizations issued until all grazing fees due the United States from permits and leases issued in connection with the base property have been paid. (See 43 CFR 4130.7-1(d).) A transferor may be entitled to a refund of any portion of the grazing fees that have been previously paid and that are applicable to the period subsequent to the date of the transfer, as provided for under 43 CFR 4130.7-2(a).

Land- and Water-Base Transfers. Transfers may be made from one land base to another land base or from one water base to another water base, but not between land-and-water-base property unless authorized by a special rule. (See Appendix 2 for a special rule affecting the Albuquerque District.)

Standing of Preference. Only the grazing preference of base properties owned or controlled by the transferor in good standing on the date of application is subject to transfer. The authorized officer may delay action on applications until the extent of grazing preference in good standing on the date of application is determined. The transfer may involve both active and suspended preference.

Transfers Where Decision Affecting Preference Is Being Appealed. If an application is made for a transfer which involves a grazing preference under appeal, but no decision on the appeal has been issued, the transfer may be approved, only if the transferee accepts the pending decision on the appeal and the terms and conditions required by the authorized officer's decision, except as otherwise provided for in 43 CFR 4160.3(c).

Transfers Involving Multiple Allotments and Base Properties. If the transferor has preference in more than one allotment, the application must show by allotment and base property how much preference is being transferred.

Corporation, Association, or Partnership. Grazing Application - Authorized Representative, Form 4130-1(c), may be used by applicants to show authority to act on behalf of a corporation, association, or partnership. (See H-4130-1, Paragraph .13D.)

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Consolidation of Permits and Leases. If the transferee is the holder of a grazing permit or lease, the transferred grazing preference may be combined with the transferee's previously recognized preference and a new permit or lease issued. The new permit or lease may be issued for a period of up to 10 years. (See H-4130-1, Paragraph .2.)

Effective Date. The transferee is eligible on the date the transfer is approved by the authorized officer for a lease or permit for the grazing preference based thereon. (See 4110.2-3(a), (b), and (c).) The transferor's lease or permit terminates automatically without further notice to the extent of the transfer on the date the transfer is approved. (See 43 CFR 4110.2-3(d).)

Transfers of Land-Base Properties. The transfer of ownership or control of all or part of a base property from one applicant to another entitles the transferee, upon proper application to all or a proportionate share of the grazing preference. (See .23A of this Handbook.) Form 4130-1(a) is used to record the transfer of base property.

Transfer of Water-Base Properties. Transfers of grazing preference from one water base to another are also made under 43 CFR 4110.2-3(c). The transferred preference cannot be moved outside the service area of the original water base. Water base transfers are limited to those between waters serving the same or overlapping service areas. When the water base to which a preference is being transferred includes privately owned improvements located on the public land, such improvements must be properly permitted under 43 CFR 4120.3 and assigned under 43 CFR 4110.2-3(a)(2), prior to approval of the transfer.

Transfers of Grazing Preferences Among Base Properties. A transfer of all or part of the grazing preference to other land, other water, other land base, or other water base owned or controlled by a qualified applicant may be approved subject to the requirements of 43 CFR 4110.1 and 4110.2-3(a) and (c). Use Form 4130-1(a). (See H-4130-1.) The permit or lease of the transferor is terminated to the extent of the transfer. Upon approval of the transfer, the base property from which the transfer is made loses its preference to the extent of the preference transferred. Any transferred preference in a suspended status must be so designated in the transfer.

C. Approval. The decision of the authorized officer on an application for transfer is discretionary, subject to the requirements of 43 CFR 4110.2-3(a), (b), and (c). Prior to final action on a transfer application, the Transfer Checklist, Form 4110-2 (Illustration 4), may be completed.

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D. Termination of Existing Permit or Lease. If an entire grazing preference is transferred to base property owned or controlled by another person, no formal notification of permit/lease termination need be made. If only a portion of a grazing preference is transferred, the transferor is issued a new permit/lease to the extent of the active and suspended preference remaining and the transferee is offered a new permit/lease for the portion transferred.

E. Base Property Acquisition by Governmental Agencies or Other Organizations. Governmental agencies and many other organizations may not meet the mandatory qualifications for exercising a grazing preference required by the Taylor Grazing Act and 43 CFR 4110.1. Such agencies and organizations do at times acquire base property for various purposes. To avoid misunderstanding and facilitate proper land use, each BLM Office is encouraged to develop a memorandum of understanding (MOU) with those agencies and organizations customarily acquiring base property. If no MOU is made and a qualified applicant does not gain control of the base property and make timely application, the grazing preference is terminated. (See 43 CFR 4110.2-3(f).)

F. Failure to Comply with Transfer Regulations. If the transferee fails to comply with 43 CFR 4110.2-3, the authorized officer may reject the transfer application under 43 CFR 4110.2-3(f) and 4160.1-1 by issuing a decision.

.24 Relinquishment of Grazing Preference. Upon a written request, the authorized officer accepts the relinquishment of grazing preference in whole or part. The base property then loses its preference to the extent of the relinquishment.

A. Acceptance. Relinquishments may not be accepted without the written concurrence of any lien holder and written consent of the owner(s) of the base property to which the preference is attached. Upon acceptance, and if consistent with resource management objectives, the relinquished preference may be allocated as additional forage under 43 CFR 4110.3-1.

B. Conditional Relinquishment. A relinquishment of grazing preference must not be made conditional upon specific action by the Bureau.

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.3 Changes in Available Forage. Any short-term or long-term change in available forage for livestock grazing is handled in accordance with 43 CFR 4110.3 and in consultation, coordination, and cooperation with affected grazing permittees, lessees, owners of intermingled lands, and other affected interests.

.31 Additional Forage. The authorized officer has the discretion to allocate additional forage to qualified applicants for livestock grazing use. (See 43 CFR 4110.3-1.)

A. Additional Forage Temporarily Available. Nonrenewable permits or leases may be issued for additional forage temporarily available. Nonrenewable use may also be authorized upon application where forage is available due to authorized changes in grazing use, i.e., nonuse. (See 43 CFR 4110.3-1.) Nonrenewable permits and leases are subject to the provisions of 43 CFR 4130.4-2. Authorization for nonrenewable use does not establish any additional preference.

B. Additional Forage Permanently Available. If additional forage is permanently available for livestock grazing because vegetation production increases, public land is added to an allotment, or additional water is developed in an area not previously usable, the additional forage is allocated in satisfaction of grazing preference to the permittee and lessee authorized to graze livestock on the allotment. Affected rangeland interests must be consulted during the process. (See 43 CFR 4110.3-1(b).)

Priority for Allocation. Additional forage which is allocated for use by livestock is authorized according to the priorities established in 43 CFR 4110.3-1(c).

.32 Decreases in Forage.

A. Temporary Suspension. The authorized officer may suspend grazing use authorized on a temporary basis in accordance with 43 CFR 4110.3-2(a). These suspensions do not adversely affect the grazing preference of the users involved. Temporary suspensions are encouraged first on a voluntary basis, in which case it becomes voluntary nonuse. However, the authorized officer may place a temporary suspension in effect under 43 CFR 4110.3-3(c) and 4160.

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B. Reduction. Grazing use must be reduced when the authorized grazing use exceeds the amount of forage available, or where such a reduction is necessary to facilitate achieving resource management objectives. Reductions may reduce either the numbers of livestock or periods of use or both. The difference between the authorized grazing use and the grazing preference must be held in suspension. (See 43 CFR 4110.3-2(b).)

C. Apportionment. The suspension or reduction is equitably apportioned by the authorized officer, or as agreed among permittees and lessees and the authorized officer.

.33 Implementation of Changes in Available Forage.

A. Implementing Permanent Changes. After nonrenewable permits or leases in allotments subject to reductions are eliminated, the authorized officer implements adjustments in authorized grazing use over a 5-year period through agreement documented in the Rangeland Program Summary or by decision. (See 43 CFR 4110.3-3.)

Agreements. The authorized officer considers opportunities to use agreements as a means of encouraging communications with permittees, lessees, and other affected interests in determining the need for adjustments in grazing use, establishing procedures for arriving at the adjustments, and seeking their participation in the implementation of those procedures. When adjustments can be successfully initiated (in lieu of) and implemented through agreement, and where data acceptable to the authorized officer are available and sufficient for reaching an agreement on the need, amount, and timing of adjustments, the agreement is used to document the initial adjustment in preference and scheduled reductions for the third and fifth years of a 5-year implementation period.

Documenting Agreements. Agreements must be documented in writing; verbal agreements are not acceptable. Although agreements may incorporate the terms of an allotment management plan (AMP) or incorporate a plan by reference, the agreement is a separate document.

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Exceptions to a 5-Year Implementation Period. The authorized officer may schedule adjustments under 43 CFR 4110.3-3 over a period of less than 5 years if, after consultation with the affected permittees or lessees and other affected interests: (1) An agreement is reached to implement the adjustment in less than 5 years; or (2) the authorized officer determines that the adjustment is required to sustain resource productivity, i.e., to protect the resource from substantial and long-term damage. (See CFR 4110.3-3.)

Modification of Scheduled Adjustments. Prior to implementing each step of a phased-in adjustment, the authorized officer reviews monitoring data to determine whether the amount of the adjustment should be modified (either increased or decreased) and may issue a new decision under 43 CFR 4160. The new decision must not extend the implementation period beyond that established in the original decision.

Modification of Grazing Use Authorizations. If the permittee or lessee has an existing permit or lease with a remaining term of greater than 1 year, the permit or lease must be modified. If the existing permit or lease is expiring, a new permit or lease is offered with a term consistent with the decision. In the final year of a phased modification, a permit or lease with the final adjusted amount of use is offered with a term of 10 years, unless the conditions specified under 43 CFR 4130.2(c) are met. The difference between the authorized grazing use and the grazing preference is held in suspension and is designated on the permit or lease as suspended preference. See H-4160-1 for the effect of an appeal on the grazing use to be authorized.

B. Acceptability of Data. If acceptable data are available and sufficient for determining the need, amount, and timing of adjustments, but the authorized officer is unable to enter into agreement with permittees, lessees, and others, the adjustments or process for arriving at the adjustments in grazing use are implemented by decision under 43 CFR 4160. If data acceptable to the authorized officer are not available to support the initial adjustment in grazing use, actions are taken to obtain acceptable data through monitoring. In no case should more than 5-years of monitoring be required. An agreement or decision is then issued by the authorized officer to implement actual adjustments in grazing use that will be based upon the data collected and evaluated. The decision will start the 5-year implementation period under 43 CFR 4110.3-3.

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C. Temporary Modifications and Closures to Livestock. The authorized officer may determine that the soil, vegetation, or other resources on the public lands require temporary protection from grazing because of conditions such as drought, fire, flood, or insect infestation. In such instances, action must be taken after consultation with affected permittees or lessees and other affected interests, either to close allotments or portions of allotments to grazing by all or a particular kind of livestock or to modify authorized grazing use. (See 43 CFR 4110.3-3(c).) Notice of closure and decisions requiring modification of authorized grazing use are issued as final decisions placed in full force and effect.

Consultation and Coordination. Due to the intermingled pattern of public, State, and private lands in many allotments, a free flow of information and coordination is essential. The authorized officer must closely coordinate with the affected permittees or lessees, adjacent or affected resource management agencies, and other interests. Coordination with adjacent resource areas, Districts, and States must also take place, as appropriate.

Providing Advance Notice. Upon finding that allotments or portions of allotments may need to be closed to grazing or that scheduled grazing use must be modified, the authorized officer provides advance notice to all affected permittees or lessees of existing conditions and actions that appear necessary to protect the rangeland resources. These notices must be provided at the earliest possible date to allow the permittees or lessees an opportunity to begin making needed adjustments in their livestock operations.

Closing Areas to Livestock or Temporarily Modifying Grazing Use. Closures to livestock grazing or modifications in scheduled grazing use may be implemented through agreement with the affected permittees or lessees, or by a decision issued under 43 CFR 4160.

Notices of Closure and Decisions on Temporary Modifications. Notices of closure and decisions requiring temporary modification of authorized grazing use must describe explicitly the action that will be taken by the authorized officer and state the reasons for the closure or modifications.

Issuing Decisions. Notices of closure and decisions requiring temporary modifications are issued as final decisions which are placed in full force and effect under 43 CFR 4160.3(c). (See 43 CFR 4110.3-3(c) and H-4160-1, Paragraph .34.) They are served personally or by certified mail to those authorized to graze livestock on the affected allotments. If grazing fees have been paid, the decisions indicate that refunds will be processed by BLM.

H-4110-1 - QUALIFICATIONS AND PREFERENCE

Before Authorized Periods of Use. If the need for the closure or modification occurs before the scheduled periods of grazing use begin, the decisions must provide for delays or suspensions of grazing use in whole or in part for specified periods of time depending on the conditions.

During Authorized Periods of Use. Where the need for the closure or modification occurs during scheduled periods of grazing use, the decisions must provide for removal of livestock in addition to suspension of grazing use in whole or in part.

Refunds. When decisions are issued and the authorized officer is satisfied that the livestock have been removed, a refund is initiated in accordance with H-4130-1, Paragraph .72B.

Publishing and Posting Notices. Notices of closures are published in the local newspaper(s) and posted at the county courthouse, post office, and other appropriate places.

Violations of Notices of Closure or Decisions on Temporary Modifications. The authorized officer must be prepared to remove, impound, and dispose of any livestock found in violation of notices of closures or decisions on temporary modifications. Notices of closure and decisions on temporary modifications also serve as Notices of Intent to Impound. (See 43 CFR 4150.4-1 and H-4150-1, Paragraph .41.) Livestock found grazing on designated allotments after the date specified in the notices or decisions may be impounded without further notice. (See 43 CFR 4150.4-2 and H-4150-1, Paragraph .42.)

H-4110-1 - QUALIFICATIONS AND PREFERENCE

.4 Changes in Public Land Acreage. Changes in public land acreage occur when additional land becomes available or when lands are no longer available for livestock grazing. A decrease in land acreage may occur based on a land-use plan decision or when public lands are disposed of or devoted to a public purpose which precludes livestock grazing.

.41 Additional Land Acreage. The authorized officer may allocate forage available as a result of an increase in land acreage that is available for livestock grazing outside designated allotments. (See 43 CFR 4110.4-1.) The allocation is made in accordance with 43 CFR 4130.1-2. Where an increase in land acreage within existing allotments results in an increase in available livestock forage, the additional forage is allocated under 43 CFR 4110.3-1 and .31B of this Handbook.

A. Bureau Action.

Requiring Public Notice. Public notice is given of the availability of additional land for allocation of forage when the authorized officer determines that such land is available for livestock grazing.

Making the Allocations. In allocating the forage on additional land acreage, the authorized officer proceeds under H-4130-1, Paragraph .12 (conflicting applications), if more than one qualified applicant submits an application. Grazing Application - Preference Summary and Transfer, Form 4130-1(a), is completed by the successful applicant and approved by the authorized officer.

.42 Decrease in Land Acreage.

A. Cancellation Required. If a decrease in public land acreage within an allotment causes a change in available livestock forage, the grazing permit or lease and preference must be cancelled in part or in whole. (See 43 CFR 4110.4-2.) The cancellation is accomplished by relinquishment (see .24 of this Handbook) or by a grazing decision issued under 43 CFR 4160.

H-4110-1 - QUALIFICATIONS AND PREFERENCE

B. Prior Notification Necessary. The Federal Land Policy and Management Act (FLPMA) and Grazing Administration Regulations (43 CFR 4110.4-2(b)) require 2 years advance notice (except in emergencies) when a grazing permit or lease is cancelled because the land is being devoted to another public purpose, including disposal.

Land Sales Under P.L. 94-579 (FLPMA). Two years of continued grazing use may be provided under a condition of sale. The lands may be sold at any time, provided a condition of sale allows the existing grazing user to continue grazing livestock on the land for at least 2 years from the date the 2-year notice is received. For instance, a parcel may be sold 4 months after the permittee/lessee is notified, with a condition of sale allowing 20 calendar months of continued grazing.

Leases and permits with less than 2 years remaining as of the date of the 2-year notice must be extended (under a condition of sale) to allow for the 2 full years of grazing use.

Leases and permits with more than 2 years remaining must be honored for the full unexpired term under a condition of sale.

The condition of sale must include the same terms and conditions as the permit/lease in regard to numbers, kind of livestock, season-of-use, AUM's, and maintenance of range improvements. Fees must be the same as the Federal grazing fee.

C. Waiver of a 2-Year Notification. The grazing regulations (43 CFR 4110.4-2(b)) provide the permittee or lessee an opportunity to unconditionally waive the 2-year prior notification. Such a waiver must not prejudice the permittees' or lessees' right to reasonable compensation for, but not to exceed the fair market value of interest in authorized permanent range improvements. (See 43 CFR 4110.4-2(b).) A waiver must be made in writing. No BLM form is required.

D. Bureau Decisions and Documentation.

Apportionment. If land acreage is decreased for grazing, but not eliminated in an individual or common allotment, the authorized officer consults with the affected rangeland users as to the amount of reduction for each user, the time schedule to be followed, and whether the reduction will be in period of use, numbers, or both.

H-4110-1 - QUALIFICATIONS AND PREFERENCE

Issuance of Decision. A decision is placed into full force and effect under 43 CFR 4160.3 any time after the final decision on the land disposal or other action. If the 2-year prior notification is required, the period begins on the date the 2-year notice is served on the party(ies) involved. The decision becomes effective after the 2-year notification period expires, unless a waiver is provided by the permittee or lessee.

Documentation in the Case File. When the decision becomes final and the cancellation is imposed, the Grazing Application--Grazing Preference Summary and Transfer, (Form 4130-1(a)) is revised to reflect the decrease in preference, including suspended preference. (See H-4130-1.)

H-4110-1 - QUALIFICATIONS AND PREFERENCE

.5 Interest of Members of Congress. Title 18 U.S.C. 431-433 (1970) prohibits a Member of or Delegate to Congress from entering into any contract or agreement with the United States. Title 22 U.S.C. (1970) provides that in every contract or agreement on behalf of the United States, no Member of or Delegate to Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon. This prohibition applies to all grazing permits, leases, or agreements.

H-4110-1 - QUALIFICATIONS AND PREFERENCE

.6 Land Utilization (LU) Project Lands.

.61 Administration of LU Project Lands. The purposes of the Bankhead-Jones Farm Tenant Act of July 22, 1934, are substantially consistent with those for the unreserved public domain (public land). They provide for the demonstration of proper management, orderly use, and development to preserve and improve the natural resources, control erosion, and reduce floods and flood damage.

.62 Transfers from the Department of Agriculture to the Department of the Interior. The objective of the transfer of jurisdiction over the LU lands from Agriculture to Interior was to place in one agency the responsibility for the administration of the intermingled acquired and public domain lands which generally are very similar in character. This results in increased economy, efficiency of administration, and more effective forage utilization. LU Project lands were transferred under authority of Title III, Section 32(c) of the Bankhead-Jones Farm Tenant Act from the Department of Agriculture to the Department of the Interior by the following Executive Orders:

A. Executive Order 10046. On March 24, 1949, lands were transferred to the Department of the Interior for administration under the Taylor Grazing Act. Executive Order 10175, October 25, 1950, amended Executive Order 10046 to also subject the land involved to exchanges under the Taylor Grazing Act. The following lands were involved:

<u>State</u>	<u>Acreage</u>	<u>Project</u>
Arizona	44,980	San Simon Project AZ-LU-21
Colorado	37,536	Great Divide Project CO-LU-23
Nevada	3,375	Meadow Valley Project NV-LU-21
New Mexico	25,199	Cuba-Rio Puerco Project NM-LU-22
Oregon	97,500	Fort Rock Project OR-LU-21
Utah	20,131	Central Utah Project UT-LU-3
Wyoming	10,195	Northeast Wyoming Project WY-LU-21

B. Executive Order 10234. This Executive Order was confined to Idaho and on April 23, 1951, transferred 78,649 acres of LU lands to the Department of the Interior for administration and exchange under the Taylor Grazing Act. (Southeast Idaho Project, ID-LU-1.) Also, 56,553 acres of public lands were transferred from the Department of the Interior to the Department of Agriculture.

H-4110-1 - QUALIFICATIONS AND PREFERENCE

C. Executive Order 10322. On January 26, 1952, E.O. 10046 was amended to transfer an additional acreage from the Department of the Interior to the Department of Agriculture to the extent of 864 acres in Arizona (San Simon Project, AZ-LU-21) and 680 acres in New Mexico (San Simon Project, NM-LU-24). These lands are also subject to administration and exchange under the Taylor Grazing Act.

D. Executive Order 10787. On November 6, 1958, this order included a transfer of lands in Montana and New Mexico to BLM for administration. This area is subject to use, administration, or exchange under the applicable provisions of the Taylor Grazing Act. In addition, the order requires that 25 percent of the net revenues received must be paid to the counties in which the lands are located. The transfer involved 1,935,853 acres in Montana and 239,003 acres in New Mexico.

<u>State</u>	<u>Acreage</u>	<u>Project</u>
Montana	73,717	Buffalo Creek Project MT-LU-23
	103,108 ^{1/}	Central Montana Project MT-LU-22
	15,674	Kinsey Land Use Project MT-LU-24
	391,933	Lower Yellowstone Project MT-LU-4
	953,347	Milk River Land Project MT-LU-3
	268,309	Musselshell Project MT-LU-3
	129,765	Southeast Montana Project MT-LU-21
New Mexico	193,350	Cuba-Rio Puerco Project NM-LU-22
	12,773	Hope Land Project NM-LU-4
	32,880	Northern New Mexico Grant Land
		Project NM-LU-25

E. Executive Order 10890. On October 27, 1960, this Order transferred certain lands in Utah (Widtsoe Project) from the Department of Agriculture to the Department of the Interior, but inadvertently omitted certain parcels. The omissions were corrected by an order signed by the Acting Director of the Bureau of the Budget on August 24, 1962. (See Federal Register, Vol. 27, 8811-12.) These lands are subject to use, administration, or exchange under the applicable provisions of the Taylor Grazing Act. Also, the order requires that 25 percent of the net revenues received must be paid to the county in which the lands are located. The transfer involved 14,825 acres.

^{1/}Includes lands administered jointly with the U.S. Fish and Wildlife Service. (See Section 3, Secretary's Order 2843.)

H-4110-1 - QUALIFICATIONS AND PREFERENCE

.63 Applicability of Regulations. The custody and management of the LU lands, first by the Soil Conservation Service and later, in some cases, by the Forest Service, extended over a period of about 20 years. During this period, a system of regulation of use and management consistent with purposes of the Bankhead-Jones Act was developed which was directed toward attaining substantial stability. The Bureau of Land Management, in assuming responsibility over the lands, continues with a minimum of change and then only as a means of improving uses and management. The provisions of 43 CFR Part 4100, consistent with the policies announced herein, apply to the administration and management of these lands. The existing commitments against the land, i.e., leases, permits, easements, licenses, etc., are honored and continue in effect.

E-4110-1 - QUALIFICATIONS AND PREFERENCE

Location Plat

Form 4110-1
(January 1980)
(formerly 4112-1)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

LOCATION PLAT

FOR BLM USE ONLY

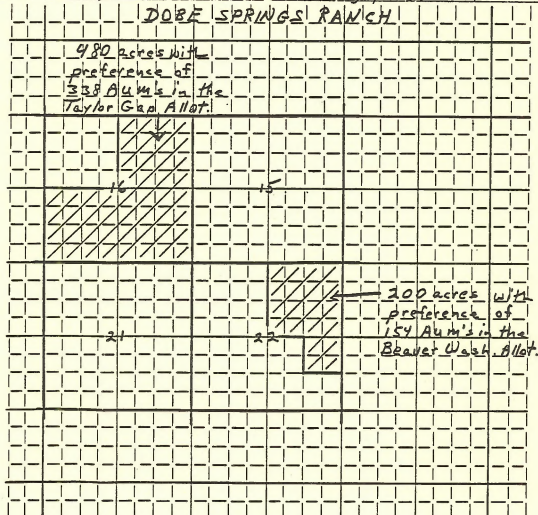
State	AZ	
Office	014	
Grazing Record No.	1067	
State	Township	Range
Arizona	48N	23W
Date	January 15, 1989	

Operator

Colby, David R.

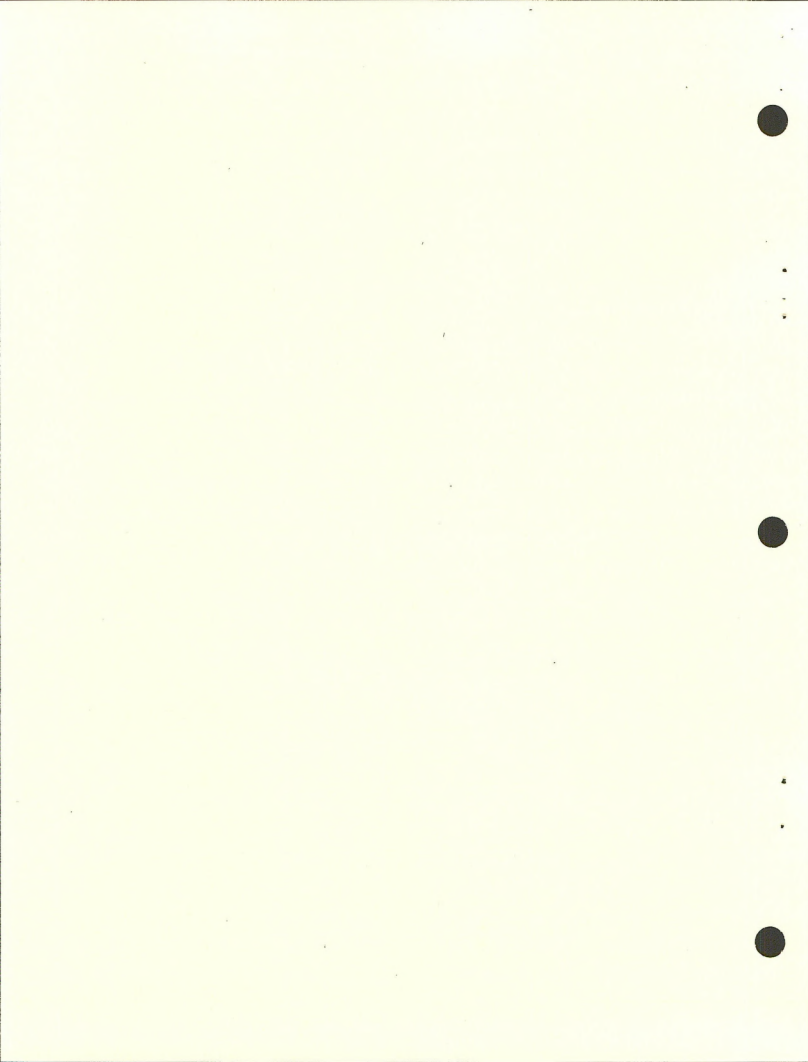
Complete address (include zip code)

380 Center St.
St. George, Utah 84770



Scale: 2 inches equals one mile

GPO 530-212



H-4110-1 - QUALIFICATIONS AND PREFERENCE

Range Line Agreement

Form 4120-10
(December 1979)
(formerly 4111-5)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RANGE LINE AGREEMENT

State Office

Oregon

District Office

Burns

Date

5/31/80

In accordance with the provisions of Grazing Regulations (43 CFR 4120.1), we, the undersigned, hereby agree to the establishment or adjustment of our respective range allotment boundaries as shown on the attached map and further described as follows:

Beginning at the NW corner of Section 13, T.16S., R.5W. and continuing in a southeasterly direction for approximately 1-3/4 miles to the SE corner of the NE 1/4 of Section 24, T.16 S., R.5W. and then southeasterly for approximately 1-1/2 miles to the NE corner of the SE 1/4 SW 1/4 of Section 30, T.16S., R.6W., and then east for 3/4 mile to the NE corner of the SW 1/4 of Section 29, T.16S., R.6W., and then south for 1-3/4 miles to the SE corner of the SW 1/4 NW 1/4 of Section 5, T.17S., R.6W., and then southeasterly for approximately 1 mile to the end at the SE corner of Section 5, T.17S., R.6W.

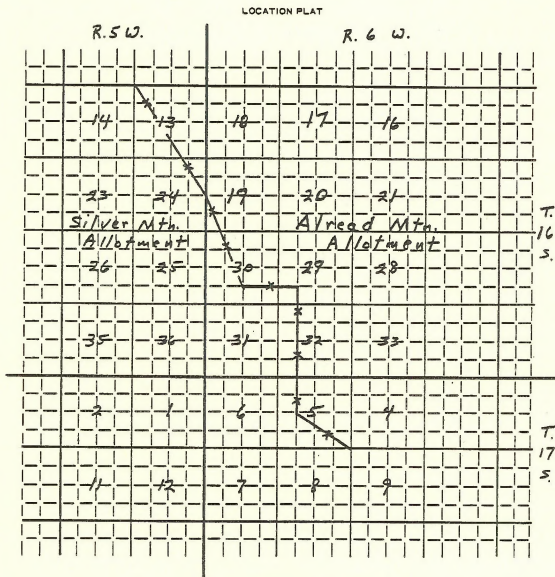
It is further agreed that the above-described allotment boundary constitutes a fair, equitable, and practical range division, based on the respective qualifications of our dependent base property under the Grazing Regulations, and as such shall be binding upon our respective heirs, executors, administrators, successors in interest or assigns.

<u>Margorie A. Litton</u>	<u>5/31/80</u>
(Signature of Permittee/Lessee)	(Date)
<u>Borman E. Litton</u>	<u>5/31/80</u>
(Signature of Permittee/Lessee)	(Date)
<u>Thomas R. Ryland</u>	<u>5/31/80</u>
(Signature of Permittee/Lessee)	(Date)
_____	_____
(Signature of Permittee/Lessee)	(Date)
_____	_____
(Signature of Permittee/Lessee)	(Date)
_____	_____
(Signature of Permittee/Lessee)	(Date)
_____	_____
(Signature of Permittee/Lessee)	(Date)
APPROVED:	
<u>Harold L. Pitts</u>	<u>5-31-80</u>
(Signature of Authorized Officer)	(Date)

(Continued on reverse)

H-4110-1 - QUALIFICATIONS AND PREFERENCE

Range Line Agreement



Scale: / inch(es) equals one mile

GPO 525-512

H-4110-1 - QUALIFICATIONS AND PREFERENCE

Allotment Record

XXXXXXXXXX
UNCLASSIFIED
Form 4115-22
(May 1976)

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management

ALLOTMENT RECORD

DATE 6/5/80

STATE.....(1) 50
OFFICE.....(2) 036
GRAZING RECORD NO.....(3) 3250
RECORD TYPE.....(4) H
ALLOTMENT NO.....(6) 4300
ACTION CODE.....(7) A

RECORD—CD (B) 1 (A)
Allotment Name (9) SHEEPS GULCH COWHORN
Resource Area.....(10) 68
Planning Unit.....(11) 019
Watershed Area.....(12) 025
Wildlife Habitat Area.....(13)
OR Preference (Active).....(14) 950
Allot Potential Production.....(15)
GR E/U Expiration Date.....(16)
Coop Plan Code.....(17)
Ephemeral Ecosystem.....(18)
Management Status Code.....(19) M
AMP Status Code.....(21) Y
AMP Signed by BLM (Mo, Da, Yr).....(22) 1107616
AMP Implemented (Mo, Yr).....(23) 0567
Permit or Lease Eff and Exp Year.....(24) 03
Number Pastures.....(25) 03

AMP SCHEDULE NO.

Last Digit FY.....(26) 1
Priority No. Within FY.....(27) 1
(8) ACRES AUIMS
NRL.....(1) 11073 (2) 950
OTHER FED.....(3)
STATE.....(5)
PRIVATE.....(7) 960 (8) 96
BIOME ACRES AUIMS
GRASSLAND (9) 11073 (10) 950
DESERT.....(11)
WOODLAND (13)
CONFOREST (15)
BIOME %GOOD CONDITION %POOR
GRASSLAND (17) (18) (19) (20) (21) 96 (22) 3
DESERT.....(20)
WOODLAND (23) (24) (25)
CONFOREST (26) (27) (28)
Wild Free Roaming Horses (29)
Wild Free Roaming Burros (30)

ACTION CODE MANAGEMENT STATUS CODE
Add. = A Management Permit = M
Change = C Regular Permit = R
Delete = D Custodial Permit = C

COOP PLAN CODE AMP STATUS CODE
USFS = F AMP Implemented = Y
SCS = C AMP Not Implemented = N
F&G = G Grazing System = G
Misc = M AMP Requested = A
USFS-SCS Joint = I

RECORD—CD (B) 2 (C)
(1) TYPE-LAND.....(9) CODE %
GEO STATE-1.....(10) 01 100
GEO COUNTY-1.....(11) 08 100
GEO COUNTY-2.....(12) 051 100
GEO COUNTY-3.....(13)
GEO DISTRICT-1.....(14) 030 100
GEO DISTRICT-2.....(15)
GEO STATE-2.....(16)
GEO COUNTY-1.....(17)
GEO COUNTY-2.....(18)
GEO DISTRICT-1.....(19)
%AUMS.....(20)
E.O.#.....(21)
FUND SYMBOL.....(22)

RECORD—CD (B) 3
(2) TYPE-LAND.....(9)
GEO STATE-1.....(10)
GEO COUNTY-1.....(11)
GEO COUNTY-2.....(12)
GEO COUNTY-3.....(13)
GEO DISTRICT-1.....(14)
GEO DISTRICT-2.....(15)
GEO STATE-2.....(16)
GEO COUNTY-1.....(17)
GEO COUNTY-2.....(18)
GEO DISTRICT-1.....(19)
%AUMS.....(20)
E.O.#.....(21)
FUND SYMBOL.....(22)
(3) TYPE-LAND.....(9)
GEO STATE-1.....(10)
GEO COUNTY-1.....(11)
GEO COUNTY-2.....(12)
GEO COUNTY-3.....(13)
GEO DISTRICT-1.....(14)
GEO DISTRICT-2.....(15)
GEO STATE-2.....(16)
GEO COUNTY-1.....(17)
GEO COUNTY-2.....(18)
GEO DISTRICT-1.....(19)
%AUMS.....(20)
E.O.#.....(21)
FUND SYMBOL.....(22)

H-4110-1 - QUALIFICATIONS AND PREFERENCE

Allotment Record

GENERAL INSTRUCTIONS: Prepare an Allotment Record for each allotment recognized for use with a specific Grazing Record Number and submit in single copy to Range Management System Control, D-330, at DSC. A copy may be retained by the District until the Grazing Record Master printout has been received. Fields 1, 2, 3, 6 & 7 are control elements required on each record input.

- (1) & (2) Admin State and Office code
(3) GR# assigned to the case file
(4) Preprinted record control element
(5) Enter designated allotment number
(6) **ACTION CODE:** Add (A)-used only when inputting
(7) data for new record; Change (C)-used when adding
data to, or changing data on, an existing record;
Delete (D)-used to wipe out that existing Allotment
Record on the Master File.

(A)

- (8) Preprinted record control element
- (9) Recognized allotment name
- (10) 1 to 131 Numeric digit(s)
- (11) Preference AUNs (DAS, license or Lease;
- (12) AUNs from approved DPAS when required
- (13) AUN are estimated when required
- (14) Exchange-of-use: numeric Mo-Day-Yr
- (15) Code if in effect; otherwise blank
- (16) Enter "X" only if Ephemeral (4112.53)
- (17) Enter management status code
- (18) 21 Enter AMP status code; other status blank
- (19) 22 Enter date if AMP status is Y or G
- (20) 23 Enter date only if AMP status Y
- (21) Only if management status is different when multiple
- (22) allotment exist on the GR master file, enter the last digit
- (23) of the beginning & ending year of the permit or lease
- (24) 25 Number of permit or lease status
- (26) 26 Year allotment is scheduled for develop
- (27) 27 Established priority for development of AMP

(8)

- (1) to (8): Land status of allotment in acres and AUMs in each category; if none leave blank
- (9) to (16): Biome category and production of NRL; if none leave blank
- (17) to (28): Condition rating percentage of NRL by Biome only for those allotments inventoried under the current Range Condition Procedure; must total 100%; if none leave blank
- (29) No. WFR-Horses on allot; if none blank
- (30) No. WFR-Burras on allot; if none blank

(C)

CODE

Enter the TYPE-LAND code from the TYPE-LAND Code Table below

Enter the State code from the GSA Geographical Location Codes publication.

Code the county from the County and Congressional District Codes Table (BLM Manual 1265, Appendix 1).

Enter the District code from the District by State Codes Table (BLM Manual 1265, Appendix 1) if the authorization is a Sec. 3; otherwise leave blank.

If the allotment is split by any one of the above categories, (TYPE-LAND, STATE, COUNTY, DISTRICT, EO# OR FUND SYM#) be sure to enter all the appropriate categories.

•

All TYPE LANDS within an allotment must = 100%

All States within a TYPE-LAND must = 100%.

All Counties within a State must = 100%

All Districts within a State must = 100%.

If the TYPE-LAND is 04 or 05, EO# must be filled in with the correct Executive Order; otherwise leave blank.

If the TYPE-LAND is 09 thru 23, enter Fund Symbol, without parenthesis, from left to right with no spaces except : for / or right; otherwise leave blank.

Examples:

1	4	5	0	3	2				
1	4	x	6	8	7	5	1	6	

Enter % AUMs by TYPE-LAND only when more than one TYPE-
LAND exists and billings are based on AUM production per
TYPE-LAND.

TYPE-LAND CODES

01	NRL	Sec 3	12	CE
02	NRL	Sec 15	14	Military
03	Reserved		15	Game Range
04	LU	Sec 3	16	Indian
05	LU	Sec 15	17	Irrigation
06	O&C		18	Sec 10 Drive
07	CBWR		19	AEC
08	Pierce Act		20	BS&F&W
09	BR		21	Naval QS
10	NPS		22	R&PP
11	USFS		23	Misc

H-4110-1 - QUALIFICATIONS AND PREFERENCE

Transfer Checklist

Form 4110-2
(March 1980)
(formerly 4115-17
4115-18 & 4120-4)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
TRANSFER CHECKLIST

FOR BLM USE ONLY

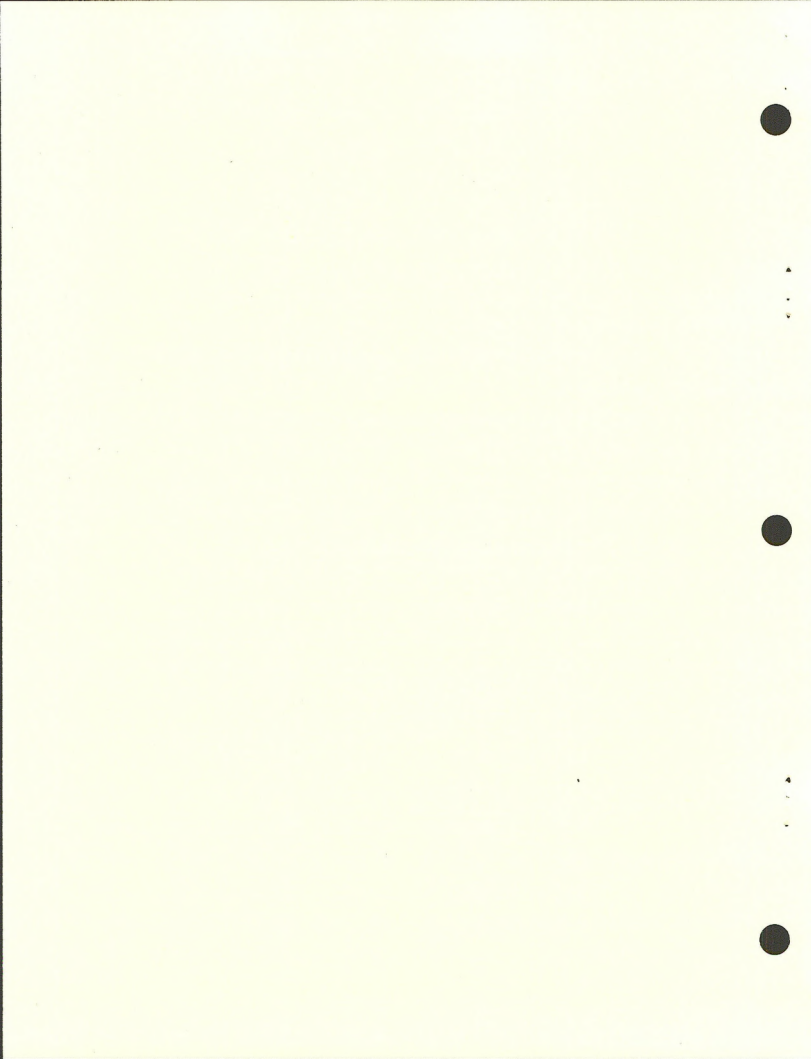
State (1) AZ
Office (2) 014

From (Transferor) <u>George M. Tallon</u> <u>P.O. Box 874</u> <u>St. George, Utah 84770</u>	To (Transferee) <u>David R. Colby</u> <u>380 Center St.</u> <u>St. George, Utah 84770</u>
Assigned to <u>Keith Norris</u>	Staff <u>Vermillion R.A.</u>
Date <u>1/16/84</u>	

REQUEST FOR TRANSFER	INITIALS	DATE
1. Grazing Application - Preference Summary and Transfer (Form 4130-1a)		
- Signed by <input type="checkbox"/> Transferee <input type="checkbox"/> Lienholder <input type="checkbox"/> Owner	<u>KN</u>	<u>1/22/84</u>
- Accompanied by service charge	<u>KN</u>	<u>1/22/84</u>
- Filed within 60 days of sale or lease of base property	<u>KN</u>	<u>1/22/84</u>
2. Documentary evidence provided to show control of base property	<u>KN</u>	<u>1/22/84</u>
3. Application included properly completed		
- Grazing Application - Grazing Schedule (Form 4130-1)	<u>KN</u>	<u>1/22/84</u>
- Grazing Application - Preference Summary and Transfer (Form 4130-1a)	<u>KN</u>	<u>1/22/84</u>
- Grazing Application - Supplemental Information (Form 4130-1b)	<u>KN</u>	<u>1/22/84</u>
- Grazing Application - Authorized Representative (Form 4130-1c)	<u>KN</u>	<u>N/A</u>
4. Assignment of Range Improvements, Form 4120-8	<u>KN</u>	<u>1/22/84</u>
5. Exchange-of-Use Agreement, Form 4130-4, filed and completed	<u>KN</u>	<u>N/A</u>
6. Application forms verified for recognized grazing preference	<u>KN</u>	<u>1/22/84</u>
7. Review Preference Summary, Form 4130-1a for <input type="checkbox"/> Transferor <input type="checkbox"/> Transferee		
8. Review terms and conditions of Permit/Lease with Transferee	<u>KN</u>	<u>1/24/84</u>
9. Notify transferee of existing AMP and review requirements	<u>KN</u>	<u>N/A</u>
10. Consider any request from Transferee for modification of Permit/Lease terms and conditions	<u>KN</u>	<u>N/A</u>
11. Prepare or revise Allotment Map for case file <input type="checkbox"/> Transferor <input type="checkbox"/> Transferee	<u>KN</u>	<u>1/30/84</u>
12. Revise Office Allotment Map, URA, and MFP	<u>KN</u>	<u>1/30/84</u>
13. Revise or create RMAS GRMF for <input type="checkbox"/> Transferor <input type="checkbox"/> Transferee	<u>KN</u>	<u>1/30/84</u>
14. Offer new or modified Permit/Lease to <input type="checkbox"/> Transferor <input type="checkbox"/> Transferee	<u>KN</u>	<u>1/30/84</u>
15. Permit/Lease offer signed and returned	<u>KN</u>	<u>2/3/84</u>
16. Cancel Transferor's Permit/Lease	<u>KN</u>	<u>1/30/84</u>
17. Close or revise Transferor case file	<u>KN</u>	<u>1/30/84</u>
18. Prepare new case file for Transferee	<u>KN</u>	<u>1/30/84</u>
19. Update or prepare case history summary	<u>KN</u>	<u>2/6/84</u>
20. Mail copies of transfer 4130-1a to <input checked="" type="checkbox"/> Transferor <input checked="" type="checkbox"/> Transferee <input checked="" type="checkbox"/> Lienholder <input type="checkbox"/> Owner	<u>KN</u>	<u>1/30/84</u>
21. Report transfer on bi-weekly progress report	<u>KN</u>	<u>2/1/84</u>
Reviewed and approved by <u>John F. Porter, Area Manager</u>	Date <u>2/8/84</u>	

(Use reverse for remarks)

GPO 888-008



H-4110-1 - QUALIFICATIONS AND PREFERENCE

Special Rule for the Ely District

"Grazing Service

NEVADA

SPECIAL RULE FOR CLASSIFICATION OF BASE
PROPERTIES, GRAZING DISTRICT 4

Pursuant to authority vested in the Secretary of the Interior by the Act of June 28, 1934, (48 Stat. 1269, 43 U.S.C. 315, et seq), as amended, commonly known as the Taylor Grazing Act, and in accordance with the provisions of Section 15 of the Federal Range Code, approved September 23, 1942.

A proper factual showing of its necessity having been made by the regional grazer and it having been found that local conditions in Nevada Grazing District No. 4 make necessary the application of a special rule for the classification of base properties in order better to achieve an administration consistent with the purposes of the act, either land or water only, or a combination of land and water, may be classified as base property for a single livestock operation in that district. In instances in which a combination of land and water is so recognized, the following further classification will be made:

Class 1. Land dependent by use and full-time prior water.

Class 2. Land dependent by location and full-time water.

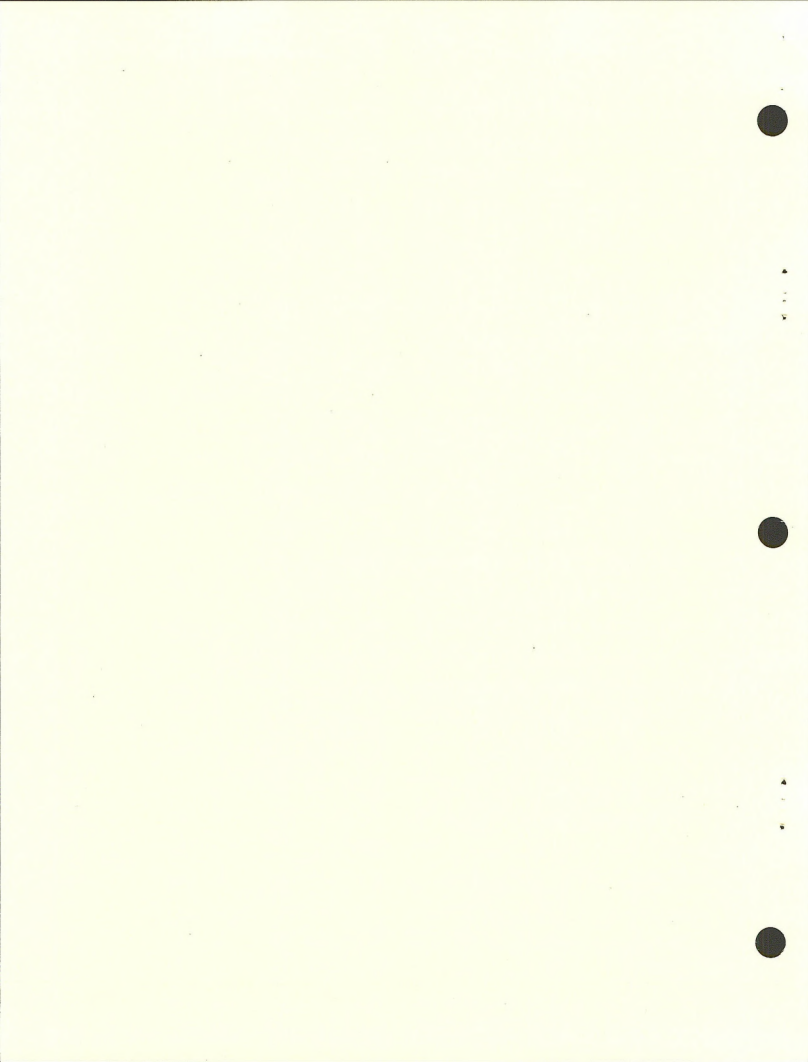
C.L. Forsling,
Director of Grazing,

Approved: February 21, 1945.

Oscar L. Chapman,
Assistant Secretary.

(F. R. Doc. 45-3043; Filed, Feb. 24, 1945; 2:52 p.m.)"

Public in the Federal Register, Tuesday, February 27, 1945.



H-4110-1 - QUALIFICATIONS AND PREFERENCE

Special Rule for the Albuquerque District

DEPARTMENT OF THE INTERIOR
Bureau of Land Management
NEW MEXICO GRAZING DISTRICTS NO. 1
(SAN ISIDRO) AND NO. 7 (CHACO)

SPECIAL RULE FOR TRANSFER OF GRAZING
PRIVILEGES

June 25, 1956

Pursuant to the authority vested in the Secretary of the Interior by the Taylor Grazing Act of June 28, 1934 (48 Stat. 1270; 43 U.S.C. 315a), delegated to me by Departmental Order No. 2583 of August 16, 1937 (15 F.R. 5643) as amended, and to the provisions of (161.16 of the Federal Range Code for Grazing Districts, 1954 Rev. (43 CFR 161.16), upon consideration of the recommendation of the respective district advisory boards and of the showing of necessity made by the State Supervisor and the Area Administrator, the following special rule is hereby approved, to apply to the administration of New Mexico Grazing Districts Nos. 1 and 7, and shall govern the transfers of base property qualifications in these districts:

Transfers of base property qualifications from a land base to a land base, or from a water base to a water base, shall be made in accordance with the provisions of (161.7(b)) of the Federal Range Code for Grazing Districts, 1954 Rev. (43 CFR 161.7(b)), subject to the additional provision that upon application of a licensee or permittee and after reference to the district advisory board, the district range manager may approve a transfer of base property qualifications from a land base to a water base, provided such new water base shall have an adequate water source or sources and shall service the same Federal range area previously used in connection with the grazing license or permit issued from the former land base.

Edward Woosley,
Director

[F.R. Doc. 56-5117; Filed, June 23, 1956; 8:45 a.m.]

Published in the Federal Register, Friday, June 29, 1956, page 4834.

